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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,398	12/07/2000	Gerhard Jorgen Darr	6151.200-US	9875

23650	7590	06/05/2007
NOVO NORDISK, INC. PATENT DEPARTMENT 100 COLLEGE ROAD WEST PRINCETON, NJ 08540		

EXAMINER	
CHEVALIER, ALICIA ANN	

ART UNIT	PAPER NUMBER
1772	

NOTIFICATION DATE	DELIVERY MODE
06/05/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

nnipatent@novonordisk.com  
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### **Notice of Non-Responsive Amendment**

1. The amendment filed on February 12, 2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because, as previously explained in the office action mailed October, 3, 2002, the inventions now claimed, i.e. medication delivery apparatus and a combination packaging and medical device, are related as mutually exclusive species in an intermediate-final product relationship, with the original filed invention of a transparent plastic member. Furthermore, new claim 29 it is directed to a method labeling a packaging etc., i.e. a method of using, and therefore related as product and method of using the product. Therefore, since all of the claims directed to the original filed invention, i.e. the transparent plastic member, have been canceled the amendment is non-responsive.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ac

4/29/07



**ALICIA CHEVALIER**  
**PRIMARY EXAMINER**